

RESOLUTION NO. 2019 - _____

A RESOLUTION OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, REPLACING RESOLUTION NO. 2012-708, VESTING WITH THE CITY MANAGER THE AUTHORITY TO SETTLE CLAIMS FOR OR AGAINST THE CITY UP TO THE AMOUNT OF HIS/HER SPENDING AUTHORITY ESTABLISHED BY CITY FINANCIAL PROCEDURES WITHOUT CITY COUNCIL APPROVAL, AND FOR OTHER PURPOSES.

WHEREAS, the City Council has determined that it would be in the best interest of the City to replace Resolution No. 2012-708 and to authorize the City Manager to settle, without prior City Council approval, actions and or claims up to the spending authority level established for the City Manager found in the City Financial Procedures; and

WHEREAS, in actions and claims, the City Manager, in consultation with the City Attorney, shall be authorized to negotiate settlement of litigated cases and/or other claims involving the City, up to the City Manager's spending limit as prescribed by City Financial Procedures; and

WHEREAS, the City Council shall reserve the authority to approve any negotiated settlements in excess of the City Manager's spending authority.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKLEDGE, FLORIDA, AS FOLLOWS:

SECTION 1. The City Manager, in consulting with the City Attorney, is authorized to negotiate settlement of litigation and/or claims up to the City Manager's spending authority limit

established by City Financial Procedures, either for or against the City, without the prior approval of the City Council.

SECTION 2. The City Council has final settlement authority for any claims in excess of the City Manager's spending authority limit.

SECTION 3. All settlements negotiated shall be reduced to writing and contain the provision that the City Manager may settle any claim up to the amount authorized by the City Financial Procedures. All other settlements are subject to the final approval of the City Council.

SECTION 4. The approval of any settlement shall be by a majority vote of the City Council at a public meeting properly noticed.

SECTION 5. Any City Council member may request that any matter may be heard in executive session in litigation settlement matters.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rockledge, Florida, this _____ day of _____, 2019.

Chairman, City Council of the
City of Rockledge, Florida

ATTEST:

City Clerk